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May 7,2007

TO:

Mailstop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

FROM: Mark T. Skoog

OUR REF: 14638.0005USWO

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ISSUE FEE TRANSMITTAL - PART B.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant: <u>SMITH</u> Serial No.: <u>10/535712</u> Filed: Feburary 21, 2006

Group Art Unit: 3745

Our Ref. No. 14638.0005USWO

Confirmation No. 7484

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Name: Mark T. Skoog Reg. No.: 40,178

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Natalie Berland

Signature

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May 7, 2007

3

PATENT

Date of Notice of Allowance: February 7, 2007

Confirmation No.: 7484

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

SMITH

Examiner:

Dwayne J. White

Serial No.:

10/535712

Group Art Unit:

6123329081

3745

Filed:

February 21, 2006

Docket No.:

14638.0005USWO

Title:

FLUID ACTUATED DRIVE MEANS

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Tradema

Name: Natalie Berland

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE Commission for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant acknowledges the allowance of claims 1-14 in the subject application by the Examiner with appreciation. The Applicant agrees with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record. The Applicant expressly traverses the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

The Applicant further points out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims 1-14 are allowable. Further reasons for allowance of the claims beyond those enumerated by the Examiner are described and set forth in the Applicant's specification. In addition, structures that perform substantially the same function in substantially

the same way to achieve substantially the same results in a FLUID ACTUATED DRIVE MEANS are included within the scope of the claims.

Finally, as the Examiner's reasons for allowance are not exhaustive, such reasons for allowance do not establish an estoppel against Applicant seeking and obtaining allowance of additional, broader claims in a continuation application, which Applicant reserves the right to file.

Respectfully submitted,

6123329081

Dated: May 7, 2007

PATENT TRADEMARK OFFICE

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